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RCE #9
6/17/04
W. H. H.

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| REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL To Commissioner For Patents Please enter the following submission and withdraw the finality of the proceeding office action or withdraw any pending appeal and reopen prosecution before the Examiner. | Application Number | 09/846,527 |
| | Filing Date | May 1, 2001 |
| | First Named Inventor | David Koo |
| | Group Art Unit | 2614 |
| | Examiner Name | Trang U. Tran |
| | Attorney Docket Number | US010225 |

This is an RCE under 37 C.F.R. § 1.114 of the above-identified application (which is made prior to: payment of issue fee; abandonment; notice of appeal to the CAFC; or commencement of civil action under 35 U.S.C. 145 or 146.)

1. **Submission required under 37 C.F.R. § 1.114**

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other _____
- b. ☒ Enclosed
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☒ Other Preliminary Amendment (may not be a brief)

2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (May not exceed 3 months; Fee required per 37 C.F.R. § 1.117(i))
- b. ☐ Other _____

3. **Fees**

- a. ☒ The Commissioner For Patents is hereby authorized to charge all required fees except the issue fee or credit any overpayments, to Deposit Account No. 14-1270

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

| | | | |
|-------------------|----------------------|-----------------------------------|--------------|
| Name (Print Type) | Russell Gross | Registration No. (Attorney/Agent) | 40,007 |
| Signature | <i>Russell Gross</i> | Date | June 8, 2004 |

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this is being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office tel#: 703-872-9306 on the date below:

| | |
|-------------------|-----------------------|
| Name (Print Type) | Elissa DeLuccy |
| Signature | <i>Elissa DeLuccy</i> |
| Date | 6/8/04 |